

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE**

SB INITIATIVE, INC. )  
v. ) Case No. 3:24-cv-00821  
CHEEKWOOD BOTANICAL GARDEN ) Judge Richardson  
AND MUSEUM OF ART ) Magistrate Judge Holmes  
)

**O R D E R**

On October 14, 2024, the parties filed a joint notice of settlement, in which they state that they have reached a settlement in principle. (Docket No. 54.) In the notice, the parties also move to continue the initial case management conference; withdraw Defendant's Motion for Preliminary Injunction (Docket No. 17) without prejudice; and cancel the hearing scheduled for October 18, 2024 (Docket No. 45) and associated deadlines.

The Clerk is **DIRECTED** to docket the notice as a motion (Docket No. 54), which is **GRANTED**. The initial case management conference set for October 17, 2024 is **CANCELLED**. Given the parties' anticipated settlement, the Court will not reschedule the initial case management conference. Rather, if, for any reason, the settlement is not finalized, it is incumbent upon the parties to jointly move to reset the initial case management conference.

Additionally, after consultation with Judge Richardson, the hearing on Defendant's Motion for Preliminary Injunction, which is present set for October 18, 2024, is **CANCELLED**. Further, given the parties' pending settlement, the Clerk is **DIRECTED TO TERMINATE** Defendant's motion for Preliminary Injunction (Doc. No. 17) **as moot without prejudice to refiling**. Finally, the parties must, **by no later than November 15, 2024**, submit either (i) a joint stipulation of

dismissal or joint motion with proposed agreed order of dismissal, (ii) other filing in resolution of case, or (iii) status report concerning their settlement.

It is **SO ORDERED**.



BARBARA D. HOLMES  
United States Magistrate Judge